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**ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. JESUS YEIZON DENIZ MENDOZA, Defendant.	CR 15-93-BLG-SPW UNOPPOSED MOTION TO CONDUCT SCHEDULING CONFERENCE
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The United States of America, represented by Lori Harper Suek, Assistant United States Attorney for the District of Montana, moves the Court to conduct a

conference to discuss scheduling of the case. The reason for the motion is that the Grand Jury has returned a superseding indictment containing seven charges that carry a potential penalty of death. *See* Counts I-VII of the Superseding Indictment. The parties believe that, given the procedures attendant to a death penalty case, it will be appropriate for the Court, under 18 U.S.C. § 3161(h)(7)(A) and (B)(ii), to vacate the current October 5, 2015 trial date. Further, in resetting that date, the parties will ask the Court to find that the “ends of justice outweigh the best interests of the public and the defendant in a speedy trial,” and will be requesting a date outside of the 70 days provided by 18 U.S.C. § 3161(c)(1).

Counsel for defendant, David Merchant and Steven Babcock, have been contacted and have no objection to the motion.

DATED this 21st day of August, 2015.

MICHAEL W. COTTER
United States Attorney

s/ Lori Harper Suek
LORI HARPER SUEK
Assistant U.S. Attorney